S.B.Cr.Misc. Bail App. No. 5249/2007
(Azad Pandey Vs. State of Rajasthan)

Date of order : 24/10/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Ramesh Purohit for the petitioner.
Mr. Vishnu Kachhawaha Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

It is contended by learned counsel for the petitioner that similarly situated co-accused Pappu has been granted bail by this Court on 07.09.2007. While granting bail to co-accused Pappu, the statement of prosecutrix recorded by Judicial Magistrate No.1, Bhilwara under Section 164 Cr.P.C. was perused and this Court noticed that the prosecutrix being married lady left her matrimonial home and went away with the petitioner and some other persons named in her statement and toured various places in Gujarat and she was caught by the police.

Looking to the facts and circumstances of the case and the fact that similarly situated co-accused Pappu has already been granted bail, having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Azad Pandey S/o Madhukar Pandey be released on bail in FIR No. 445/07 P.S. Pratap Nagar, district Bhilwara, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs.

10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP